

JAN 06 2006

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**TO: Examiner Keith D. Hendricks, Group Art Unit 1761 - United States Patent and Trademark Office**

Fax No. 571-273-8300

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**FROM: Diane Robinson (Typed or printed name of person signing Certificate)**

Fax No. 513-634-3752

Phone No. 513-634-4223

Application No.: 10/603,278

Inventor(s): John K. Howie, et al.

Filed: June 25, 2003

Docket No.: 9285L

Confirmation No.: 4432

**FACSIMILE TRANSMITTAL SHEET AND**  
**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8**

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*Diane Robinson* (Signature)

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- 1) Request for Continued Examination (RCE) Transmittal (1 pages)
- 2) Request for Suspension of Action – included on RCE Fee Transmittal Form
- 3) Request for Continued Examination under 37 CFR 1.114 (8 pages)
- 4) Copy of first page of Amendment Pursuant to 37 CFR 1.116 for 10/606/137 dated 8/22/2005 submitted to provoke an Interference – 1 page

Number of Pages Including this Page: 11

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PTO/SB/30 (04-05)

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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<i>Application Number</i>	10/603,278
	<i>Filing Date</i>	June 25, 2003
	<i>First Named Inventor</i>	John K. Howie, et al.
	<i>Art Unit</i>	1761
	<i>Examiner Name</i>	Keith D. Hendricks
	<i>Attorney Docket Number</i>	9285L
	<i>Confirmation Number</i>	4432


This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.


Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ii. ☐ Other \_\_\_\_\_
  - b. Enclosed
    - i. ☒ Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
    - iv. ☒ Other Copy of Amendment Pursuant to 37 CFR 1.116 for 10/606,137 dated 8/22/2005 submitted to provoke an Interference
2. **Miscellaneous**
  - a. ☒ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
 

☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-2480.

  - i. ☒ RCE fee required under 37 C.F.R. §1.17(e)
  - ii. ☐ Extension of time fee (37 C.F.R. §§1.136 and 1.17)
  - iii. ☒ Suspension of action fee under 37 C.F.R. 1.17(i)
  - iv. ☐ Other \_\_\_\_\_

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
NAME (Print/Type) Bryn T. Lorentz	Reg. No. (Attorney/Agent) 55,668
SIGNATURE 	DATE January 6, 2006

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that that I have reasonable basis to expect that, on the date shown below, this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office via fax number 703-872-9306 on the date shown below:	
NAME (Print/Type) Bryn T. Lorentz	
SIGNATURE 	DATE January 6, 2006

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send Fees and Completed forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(Revised for P&amp;G use 5/27/2005)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/603,278  
Inventor(s) : John Keeney Howie, et al.  
Filed : June 25, 2003  
Art Unit : 1761  
Examiner : Keith D. Hendricks  
Docket No. : 9285L  
Confirmation No. : 4432  
Customer No. : 27752  
Title : METHOD FOR REDUCTION OF ACRYLAMIDE IN  
COCOA PRODUCTS, COCOA PRODUCTS HAVING  
REDUCED LEVELS OF ACRYLAMIDE, AND  
ARTICLE OF COMMERCE

Request for Continued Examination under 37 C.F.R. § 1.114

Mail Stop RCE  
P. O. Box 1450  
Alexandria, VA 22313-1450  
Dear Sir:

INTRODUCTORY REMARKS

This responds to the Final Office Action Dated October 6, 2005. Please consider the following remarks. Included herewith is a Request for Continued Examination and the fee required under 37 C.F.R. §1.17(e).

Remarks begin on Page 2 of this paper.